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NEW MEXICO ENVIRONMENT DEPARTMENT

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RYAN FLYNN
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Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 26, 2014

Ms. Sherry Burt-Kested, Manager
Environmental Services
Freeport-McMoRan Chino Mines Company
P.O. Box 10
Bayard, New Mexico 88023

**RE: Approval of the Year 4 pH Monitoring Report
Smelter/Tailing Soils Investigation Unit (STSIU)
Chino Administrative Order on Consent (AOC)**

Dear Ms. Burt-Kested:

The Ground Water Quality Bureau of the New Mexico Environment Department (NMED) has reviewed the ARCADIS submittal titled, *Administrative Order on Consent, Year 4 pH Monitoring Report, Smelter/Tailing Soils Investigation Unit* (Report) received April 29, 2014. The Report was prepared by ARCADIS on behalf of Freeport McMoRan Copper & Gold, Chino Mines Company (Chino). NMED accepts this document as written with the following comment and request for additional information.

Comment and Request for Additional Information

1. The conclusion on page 11 "...that pH is not quickly reverting to low values post-white rain" does not appear to be true for the year 1-3 period where pH declined at several locations. Year 4 then seems to trend higher in pH. Please clarify and/or discuss.
2. On page 11, ARCADIS states that the "significant decrease in total copper after 2010 will be investigated as part of the year 5 monitoring report." NMED would be interested in how Chino/ARCADIS is changing or adding to the approved workplan analysis (ARCADIS 2010) in Year 5 to help explain the decline in copper concentrations. Please provide a description of the proposed additional work for NMED review before conducting the Year 5 fieldwork.

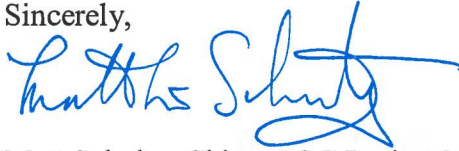
Ms. Sherry Burt-Kested

6/26/14

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If you have any questions, please contact me at (575)-956-1550.

Sincerely,



Matt Schultz, Chino AOC Project Manager
Mining Environmental Compliance Section
Ground Water Quality Bureau
New Mexico Environment Department
Silver City Field Office

cc: Petra Sanchez, USEPA (via email)
Kurt Vollbrecht, NMED (via email)
Joseph Fox, NMED (via email)
Mark Lewis, Formation Environmental (via email)
Joe Allen, Formation Environmental (via email)
Ned Hall, Freeport-McMoRan Copper & Gold (via email)
Pam Pinson, Freeport-McMoRan Chino Mines Company (via email)